

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES R. ALLAN,

Plaintiff,

v.

BNSF RAILWAY COMPANY, a
Delaware Corporation,

Defendant.

NO. CV-08-125-EFS

ORDER OF DISMISSAL

By Stipulation filed January 8, 2009 (Ct. Rec. 17), the parties advised the Court that the above-captioned matter should be dismissed with prejudice and without costs or fees, pursuant to Federal Rule of Civil Procedure 41.

Therefore, **IT IS ORDERED:**

1. The Complaint (**Ct. Rec. 1**) is **DISMISSED with prejudice** and **without costs** or fees awarded to any party;
2. All pending trial and hearing dates are stricken;
3. All pending motions are denied as moot; and
4. This file shall be closed.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and distribute copies to counsel.

DATED this 13th day of January 2009.

S/ Edward F. Shea
EDWARD F. SHEA
United States District Judge

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ORDER * 2